

REMARKS

The Examiner's Action mailed June 6, 2005 has been received and its contents carefully considered.

Claims 11-29 are currently pending. Claim 12 is canceled without prejudice to or waiver of the subject matter recited therein. Claims 11 and 13-29 are amended, and new claims 30-31 are added herein. Existing claims 11, 26 and 27, and new claim 30, are the independent claims in this application.

The title of the invention is amended herein to more clearly reflect the scope of the revised claims. Approval of the new title is respectfully requested.

The Applicant notes with appreciation the Examiner's indication that claims 11-29 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in the Office Action.

In the Action, claims 11-29 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particular point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the Examiner asserts that claims 11 and 26-27 recite an image forming device but do not recite an image forming means. The Examiner argues that the Applicant should at least recite means to perform image forming in an image forming apparatus.

Since the application is directed primarily to the inventive image developing portion of the disclosed image forming apparatus, the Applicant has elected to refocus the claims by amending the preamble of each of claims 11 and 13-29 to recite "An image **developing** apparatus," rather than "An image **forming** apparatus." To make it clear that the recited "image holder" (e.g., photo-sensitive drum) is not part of the claimed image developing apparatus, the phrase "of said developing means" has been deleted in claims 11, 23, 24 and 26-28. In view these changes to the claim language, the Examiner is respectfully requested to reconsider the claims and withdraw the §112 rejection. It is further submitted that these changes do not otherwise affect the allowability of the claims.

New claim 30 retains the original focus of claim 11 and is directed to "An image **forming** apparatus." As suggested by the Examiner, claim 30 expressly includes "an image forming means." Essentially, claim 30 combines the limitations of claims 11 and 12.

Claim 31, which depends from claim 30, recites additional features of the image forming apparatus disclosed in the application. Accordingly, it is respectfully submitted that claims 30 and 31 are also allowable.

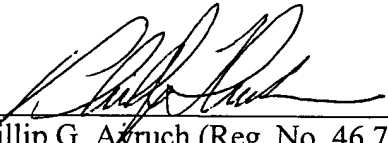
The Examiner's rejection having been addressed by the amended claims, it is respectfully submitted that this application is now in condition for allowance. Notice of allowance and the passing of this case to issue, with claims 11 and 13-31, are earnestly solicited.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

A payment in the amount of \$650.00 is submitted herewith, reflecting the applicable fees for a two-month extension of time and one extra independent claim added by this Amendment. Should the payment be missing or insufficient in amount, or should any additional fees be due in connection with this Amendment, please charge any deficiency to our Deposit Account No. 18-0002, and advise the undersigned accordingly.

Respectfully submitted,

November 7, 2005
Date


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